

**Notice of Allowability**

Application No.

09/625,702

Applicant(s)

MACEY, REX

Examiner

Art Unit

Narayanswamy Subramanian

3624

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/23/2004.
2. ☒ The allowed claim(s) is/are 6-10 and 54.
3. ☒ The drawings filed on 7/25/2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

1. This is in response to communication dated August 23, 2004. The Examiner has entered amendments to claim 6 and addition of new claim 54. The Examiner acknowledges cancellation of claims 1-5 and 11-53 by the Applicants. Rejections of claims 6-10 made under 35 USC § 101 and 35 U.S.C. 112, second paragraph in Office action mailed on May 20, 2004 are withdrawn in view of the amendments. Claims 6-10 and 54 are now pending in the application and have been examined.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Kean J. DeCarlo on April 28, 2005.

Please cancel claims 1-5 and 11-53 without prejudice.

### ***Allowable Subject Matter***

3. Claims 6 – 10 and 54 are allowed.

4. The following is an examiner's statement of reasons for allowance:

5. The closest prior art of record Maggioncalda et al (US Patent 6,012,044) teaches a retirement planning method for computing a possible future value of a portfolio, comprising the steps of employing a data processing system for: receiving user inputs comprising an initial value of the portfolio, a current age; computing a future value of the portfolio using a future time period,

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a predetermined rate of return, and the initial value of the portfolio; and outputting the computed-future value of the portfolio.

Even though, the prior art of record teaches a retirement planning method for performing the above mentioned steps, the prior art of record fails to teach the steps of randomly drawing a number between 0 and 1 for the first joint investor; defining the randomly drawn number as one of said one of cumulative probabilities of living to an age of death and cumulative probabilities of dying at an age of death for the first joint investor; determining an age of death of the first joint investor in accordance with said data, based on the current age of the first joint investor and the randomly drawn number; randomly drawing a second number between 0 and 1 for the second joint investor; defining the second randomly drawn number as one of said one of cumulative probabilities of living to an age of death and cumulative probabilities of dying at an age of death for the second joint investor; determining an age of death of the second joint investor in accordance with said data based on the current age of the second joint investor and the second randomly drawn number; determining the greater age of death of the first and second joint investors by comparing the age of death of the first joint investor determined above with the age of death of the second joint investor determined above. For these reasons claim 6 is deemed to be allowable over the prior art of record, and claims 7-10 and 54 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Williams et al WO 98/44444 A1, October 8, 1998, Method and Apparatus for Virtual Investment Advisor and Support System

(b) Leimer, Dean, Volume 58 n2, Summer 1995 "A guide to social security money's worth issues" Social Security Bulletin

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (703) 305-4878. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (703) 308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to the Patent Office is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

N. Subramanian  
April 28, 2005

  
**HANI M. KAZIMI**  
**PRIMARY EXAMINER**